

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IRENE GRACE)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 3:06-CV-306
)	MDL Docket No.: 3:08-MD-1932
FAMILY DOLLAR STORES, INC.,)	
)	
Defendant.)	

Order and Final Judgment in *Irene Grace v. Family Dollar Stores, Inc.*

This matter is before the Court on Plaintiff Irene Grace's Motion to Alter or Amend Judgment Pursuant to FRCP Rule 59(e) (Doc. 216). The Court hereby denies the motion. The Court finds there is no just reason to delay entry of final judgment with respect to Plaintiff Irene Grace's claim against Defendant Family Dollar Stores, Inc. The Court therefore directs the Clerk to enter final judgment for Family Dollar on the Court's summary judgment order (Doc. 172) in No. 3:06-cv-306, including the Court's Order of September 6, 2007 granting Defendant's Motion to Strike or Deny Grace's collective allegations and denying Plaintiff's Motion to Facilitate Notice Pursuant to 29 U.S.C. § 216(b) (Doc. 78).

The Court directs the parties to complete the outstanding discovery in the Grace and Ward cases, and, do so as set forth in the Court's March 4, 2009 Scheduling Order (Doc. No. 107) and the Agreed Order of July 27, 2009 (Doc.

227). Specifically, the parties shall complete all fact discovery and summary judgment briefing concerning all remaining Plaintiff and Intervenor claims from the Grace and Ward cases as set forth in the Court's previous Orders. Upon Plaintiff Grace's timely appeal to the Fourth Circuit, the Court hereby stays all other proceedings in **MDL Docket No 3:02-MD-1932** pending final resolution of that appeal.

IT IS THEREFORE ORDERED THAT:

(1) Plaintiff Irene Grace's Motion to Alter or Amend Judgment Pursuant to FRCP Rule 59(e) (Doc. 216) is DENIED;

(2) Final judgment is hereby entered for Family Dollar on the Court's summary judgment order (Doc. 172) in No. 3:06-cv-306, including the Court's Order of September 6, 2007 granting Defendant's Motion to Strike or Deny Grace's collective allegations and denying Plaintiff's Motion to Facilitate Notice Pursuant to 29 U.S.C. § 216(b) (Doc. 78).

SO ORDERED.

Signed: August 12, 2009



Graham C. Mullen
United States District Judge

